

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

JERRELL WALKER,

Plaintiff

VS.

WENDY NELSON,

Defendant

NO. 5:06-CV-26 (HL)

**PROCEEDINGS UNDER 42 U.S.C. §1983  
BEFORE THE U. S. MAGISTRATE JUDGE**

**RECOMMENDATION**

On October 31, 2007, the undersigned issued an Order directing plaintiff JERRELL WALKER in the above-styled case to SHOW CAUSE why his case should not be dismissed — pursuant to Rule 41(b) of the FEDERAL RULES OF CIVIL PROCEDURE — for **failure to prosecute** the action. Tab #42. On November 6, 2007, the court's October 31<sup>st</sup> order was returned as undeliverable. Tab #43. Plaintiff's last contact with the court appears to be the date he filed his complaint in January of **2006**, more than 20 months ago.

Accordingly, IT IS RECOMMENDED that this case be **DISMISSED with prejudice** for failure to prosecute and failure to comply with a court order. Pursuant to 28 U.S.C. §636(b)(1), the parties may serve and file written objections to this RECOMMENDATION with the district judge to whom this case is assigned **WITHIN TEN (10) DAYS** after being served with a copy thereof.

SO RECOMMENDED this 6<sup>th</sup> day of NOVEMBER, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE